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**SUBSTITUTE HOUSE BILL 2255**

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**State of Washington**

**54th Legislature**

**1996 Regular Session**

**By** House Committee on Commerce & Labor (originally sponsored by Representatives Van Luven, Thompson, Cody, Romero and Dickerson)

Read first time 01/22/96.

1 AN ACT Relating to inspection requirements for private residence  
2 conveyances; and amending RCW 70.87.010 and 70.87.120.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 70.87.010 and 1983 c 123 s 1 are each amended to read  
5 as follows:

6 For the purposes of this chapter, except where a different  
7 interpretation is required by the context:

8 (1) "Owner" means any person having title to or control of a  
9 conveyance, as guardian, trustee, lessee, or otherwise;

10 (2) "Conveyance" means an elevator, escalator, dumbwaiter, belt  
11 moonlight, automobile parking elevator, or moving walk, all as defined  
12 in this section;

13 (3) "Existing installations" means all conveyances for which plans  
14 were completed and accepted by the owner, or for which the plans and  
15 specifications have been filed with and approved by the department  
16 before June 13, 1963, and work on the erection of which was begun not  
17 more than twelve months thereafter;

1 (4) "Elevator" means a hoisting or lowering machine equipped with  
2 a car or platform that moves in guides and serves two or more floors or  
3 landings of a building or structure;

4 (a) "Passenger elevator" means an elevator (i) on which passengers  
5 are permitted to ride and (ii) that may be used to carry freight or  
6 materials when the load carried does not exceed the capacity of the  
7 elevator;

8 (b) "Freight elevator" means an elevator (i) used primarily for  
9 carrying freight and (ii) on which only the operator, the persons  
10 necessary for loading and unloading, and other employees approved by  
11 the department are permitted to ride;

12 (c) "Sidewalk elevator" means a freight elevator that: (i)  
13 Operates between a sidewalk or other area outside the building and  
14 floor levels inside the building below the outside area, (ii) has no  
15 landing opening into the building at its upper limit of travel, and  
16 (iii) is not used to carry automobiles;

17 (5) "Escalator" means a power-driven, inclined, continuous stairway  
18 used for raising and lowering passengers;

19 (6) "Dumbwaiter" means a hoisting and lowering mechanism equipped  
20 with a car (a) that moves in guides in a substantially vertical  
21 direction, (b) the floor area of which does not exceed nine square  
22 feet, (c) the inside height of which does not exceed four feet, (d) the  
23 capacity of which does not exceed five hundred pounds, and (e) that is  
24 used exclusively for carrying materials;

25 (7) "Automobile parking elevator" means an elevator: (a) Located  
26 in either a stationary or horizontally moving hoistway; (b) used  
27 exclusively for parking automobiles where, during the parking process,  
28 each automobile is moved either under its own power or by means of a  
29 power-driven transfer device onto and off the elevator directly into  
30 parking spaces or cubicles in line with the elevator; and (c) in which  
31 no persons are normally stationed on any level except the receiving  
32 level;

33 (8) "Moving walk" means a passenger carrying device (a) on which  
34 passengers stand or walk and (b) on which the passenger carrying  
35 surface remains parallel to its direction of motion;

36 (9) "Belt manlift" means a power driven endless belt provided with  
37 steps or platforms and a hand hold for the transportation of personnel  
38 from floor to floor;

39 (10) "Department" means the department of labor and industries;

1 (11) "Director" means the director of the department or his or her  
2 representative;

3 (12) "Inspector" means an elevator inspector of the department or  
4 an elevator inspector of a municipality having in effect an elevator  
5 ordinance pursuant to RCW 70.87.200;

6 (13) "Permit" means a permit issued by the department to construct,  
7 install, or operate a conveyance;

8 (14) "Person" means this state, a political subdivision, any public  
9 or private corporation, any firm, or any other entity as well as an  
10 individual;

11 (15) "One-man capacity manlift" means a single passenger, hand-  
12 powered counterweighted device, or electric-powered device, that  
13 travels vertically in guides and serves two or more landings;

14 (16) "Private residence conveyance" means a conveyance installed in  
15 or on the premises of a single-family dwelling and operated for  
16 transporting persons or property from one elevation to another.

17 **Sec. 2.** RCW 70.87.120 and 1993 c 281 s 61 are each amended to read  
18 as follows:

19 (1) The department shall appoint and employ inspectors, as may be  
20 necessary to carry out the provisions of this chapter, under the  
21 provisions of the rules adopted by the Washington personnel resources  
22 board in accordance with chapter 41.06 RCW.

23 (2)(a) Except as provided in (b) of this subsection, the department  
24 shall cause all conveyances to be inspected and tested at least once  
25 each year. Inspectors have the right during reasonable hours to enter  
26 into and upon any building or premises in the discharge of their  
27 official duties, for the purpose of making any inspection or testing  
28 any conveyance contained thereon or therein. Inspections and tests  
29 shall conform with the rules adopted by the department. The department  
30 shall inspect all installations before it issues any initial permit for  
31 operation. Permits shall not be issued until the fees required by this  
32 chapter have been paid.

33 (b)(i) Private residence conveyances operated exclusively for  
34 single-family use shall be inspected and tested only when required  
35 under RCW 70.87.100 or as necessary for the purposes of subsection (4)  
36 of this section.

37 (ii) The department may perform additional inspections of a private  
38 residence conveyance at the request of the owner of the conveyance.

1 Fees for these inspections shall be in accordance with the schedule of  
2 fees adopted for operating permits pursuant to RCW 70.87.030. An  
3 inspection requested under this subsection (2)(b)(ii) shall not be  
4 performed until the required fees have been paid.

5 (3) If inspection shows a conveyance to be in an unsafe condition,  
6 the department shall issue an inspection report in writing requiring  
7 the repairs or alterations to be made to the conveyance that are  
8 necessary to render it safe and may also suspend or revoke a permit  
9 pursuant to RCW 70.87.125 or order the operation of a conveyance  
10 discontinued pursuant to RCW 70.87.145.

11 (4) The department may investigate accidents and alleged or  
12 apparent violations of this chapter.

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